

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2131 OF 2022

(Rakesh Amarchand Badgajar and others vs. The Joint Director of Education and others)

WITH WRIT PETITION NO.2431 OF 2022

(Dr. Dilip Dnyanobaji Shahade vs. The Joint Director of Education and others)

WITH WRIT PETITION NO.3464 OF 2022

(Prakash s/o Ramhari Wankhede and others vs. Shri Gadge Maharaj Vidyalay Mandal and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

WRIT PETITION NOS.2131/2022 AND 2431/2022

Shri S.M. Vaishnav, Advocate for petitioners.

Ms. N.P. Mehta, Assistant Government Pleader for respondent no.1.

Shri S.S. Ghate, Advocate for respondent no.2.

Shri C.S. Kaptan, Senior Advocate, assisted by Adv. P.S. Chawhan, for respondent no.3.

WRIT PETITION NO.3464/2022

Shri H.A. Deshpande, Advocate for petitioners.

Shri C.S. Kaptan, Senior Advocate, assisted by Adv. P.S. Chawhan, for respondent nos.1 to 4.

Shri S.S. Ghate, Advocate for respondent no.5.

Ms. N.P. Mehta, Assistant Government Pleader for respondent nos.6 to 8.

CORAM : A.S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATED : AUGUST 26, 2022

The petitioners, who are serving at the respondent Institutions, seek directions in the matter of releasing their salary from November/December 2021. The salary bills forwarded earlier signed by Shri Santosh Thakare were not accepted by the Authorities purportedly on the ground that

there is a dispute with regard to his re-appointment.

2) Be that as it may, for that reason, the petitioners cannot be deprived of their regular salary. It would, therefore, be necessary to make an ad hoc arrangement to enable the pay bills to be submitted to the respective Authorities so as to facilitate release of petitioners' salary.

3) Accordingly, without prejudice to the rights of the Management in seeking re-appointment of the concerned Principal as well as rights of parties opposing his re-appointment, following directions are issued :

The Management shall permit Shri Prakash Wankhede, senior-most Teacher at the Institution, to sign the salary bills of educational Institutions being conducted by the Trust. The salary bills for the period for which salary has been unpaid shall be prepared and duly signed by Shri Prakash Wankhede and submitted to the respective Authorities within a period of fifteen days from today. The competent Authorities shall accept the said salary bills and process the same within a further period of fifteen days, without going into the question as regards entitlement of Shri Thakare to re-appointment.

4) With the above directions, the writ petitions are disposed of.

JUDGE

JUDGE

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